

## D. SCOTT RANKIN

Attorney at Law

Telephone: (740) 452-5403

Fax: (740) 452-8473

45 N. Fourth Street

Zanesville, Ohio 43701

October 1, 2007



Craig M. Kirk  
1239 Chestnut Street Lot B  
Coshocton, Ohio 43812

**RE: VILLAGE OF FRAZEYSBURG v. CRAIG M. KIRK**

**Case Number: TRC 0705102**

Dear Mr. Kirk:

Attached you will find a witness list setting forth all critical witnesses which Village of Frazeytsburg is aware of and which the Village intends to use at trial.

Furthermore, you are hereby granted privilege to inspect and copy any and all evidence being held by the Village at this time by making arrangements through the office of D. Scott Rankin.

By accepting this early discovery, you are hereby triggering the Village's reciprocal right to have all discoverable evidence, which you intend to use at trial. Also, please find enclosed our reciprocal Request For Discovery, which we have filed with the court.

Respectfully,

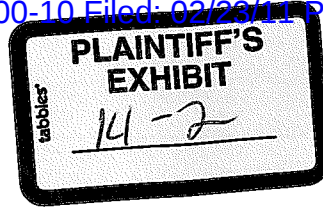
A handwritten signature in cursive script, appearing to read "D. Scott Rankin".

D. Scott Rankin

DSR/nls

Attachments - as stated

October 1, 2007  
Craig M. Kirk  
Page Two



Re: **VILLAGE OF FRAZEYSBURG v. CRAIG M. KIRK**  
**Case Number: TRC 0705102**

**WITNESSES**

- |                            |                           |
|----------------------------|---------------------------|
| 1. Officer Jason Schilling | Frazeysburg Police        |
| 2. Trooper Roe             | Ohio State Highway Patrol |
| 3. Scott Caldwell          | Dresden Police - Unit 2   |
| 4. Chief Clifford Bigler   | Frazeysburg Police        |

**ATTACHMENTS**

1. Summons
2. Village of Frazeytsburg Transfer To Muskingum County Court Form
3. BMV 2255
4. Copy of Citation
5. Copy of Police Report

original  
bigier

Village of Fazeysburg  
Muskingum County, Ohio  
Mayor's Court  
Magistrate Shawn Crawmer



**Transfer to Muskingum County Court**

This matter having come before the Village of Fazeysburg Mayor's Court this

4<sup>th</sup> day of September, 20 07; and upon motion of the defendant

Craig M. Kirk request that this case before transferred to

the Muskingum County Court for further proceedings.

For good cause shown, the above captioned matter is hereby transferred to the Muskingum County Court for all further proceedings.

Case No: #07-0319-09 Summons No: \_\_\_\_\_

Defendant's Name: Craig M. Kirk

Address: 1239 Chestnut Street, Lot B.

City, State, Zip Coshocton, Ohio 43812

Social Security No: 295-70-7845 DOB: 01-15-67 ←

→ X [Signature]  
Defendant's Signature

X [Signature] Magistrate - Shawn Crawmer Clerk of Courts - Marsha Miller

**TO DEFENDANT**

You are hereby ordered to appear at the Muskingum County Court 27 N. Fifth St. Zanesville, Ohio 43701 on the 6<sup>th</sup> day of September, 20 07.

At 8:30 o'clock A M.

**If you fail to appear at this time and place ordered, you may be arrested.**

Summons served to defendant on this 4<sup>th</sup> day of September, 20 07.

X [Signature]  
Defendant's Signature

X [Signature] Issuing Law Enforcement Officer Clerk of Courts

CC: Defendant  
Defense Counsel  
Muskingum County Court Clerk  
Defendant's File  
Fazeysburg Police Department

Muskingum County

COURT

Zanesville

OHIO

Village of Frazeesburg

Plaintiff

VS.

Craig M. Kirk

Defendant

The State of Ohio

Muskingum

County, ss:

To the Sheriff of Muskingum County, Ohio, Greetings:

To the Bailiff of County Court

YOU ARE HEREBY COMMANDED TO SUBPOENA THE FOLLOWING NAMED PERSON, to-wit:

TROOPER ROE

(Name)

Ohio State Highway Patrol

(Address)

3760 East Pike, Zanesville, Ohio 43701

To be and appear before the Muskingum County Court, 27 N. 5th Street

Zanesville

Ohio on the 9th day of October 2007

Court Address

at 9:00 o'clock A.M., to testify as a witness in a certain case pending in said court on behalf of the

Plaintiff

Plaintiff/Defendant

YOU ARE FURTHER ORDERED TO BRING WITH YOU:



and not depart the Court without leave. And therein to fail not, under penalty of the law, and to have then and there this writ. Present this subpoena to the Clerk of Court upon your arrival and before you leave. You may be held in contempt of Court for failure to appear.

☐ Person being subpoenaed resides outside the county in which court is located. 1 day witness fee and mileage in amount of \$ \_\_\_\_\_ is attached.

See the back of this form for your rights and duties under subpoena.

D. Scott R...  
Attorney for (Defendant - Plaintiff)

**RETURN OF SERVICE**

**DATE OF SERVICE**

Service \$ \_\_\_\_\_

10-03-07 1247 PM

Mileage \$ \_\_\_\_\_

**Type of Service**

Total \$ \_\_\_\_\_

☐ Personal

☒ Residential

By leaving copy with

Dispatcher

Craig M. Kirk

Sheriff - Baliff - Process Server

WITNESS my hand and Seal of said

Court this 3RD day of

OCTOBER 2007

JACQUELINE GARDNER Clerk

Muskingum County Court

By Christy Lander Deputy Clerk

Fee paid to witness by clerk \$ \_\_\_\_\_

NOTE: PRESENT THIS SUBPOENA TO THE CLERK OF COURTS FOR PAYMENT

Muskingum County

**COURT**

Zanesville

**OHIO**

Village of Frazeyburg, Plaintiff

VS.

Craig M. Kirk Defendant

The State of Ohio

Muskingum County, ss:

To the Sheriff of Muskingum County, Ohio, Greetings:

To the Bailiff of County Court

YOU ARE HEREBY COMMANDED TO SUBPOENA THE FOLLOWING NAMED PERSON, to-wit:

Scott Caldwell

(Name)

Village of Dresden-Police Dept.

(Address)

Dresden, Ohio

To be and appear before the Muskingum County Court, 27 N. 5th Street

Zanesville

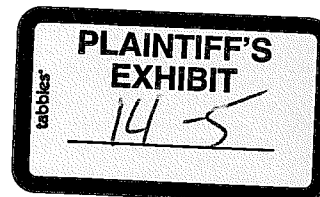
Court Address

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Plaintiff

Plaintiff/Defendant

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D. Scott Rank  
Attorney for (Defendant-Plaintiff)

**RETURN OF SERVICE**

Service \$ \_\_\_\_\_

Mileage \$ \_\_\_\_\_

Total \$ \_\_\_\_\_

**DATE OF SERVICE**

10-03-2007

**Type of Service**

☒ Personal

☐ Residential

By leaving copy with \_\_\_\_\_

WITNESS my hand and Seal of said

Court this 3RD day of

OCTOBER, 2007

JACQUELINE GARBES Clerk

Muskingum County Court

By Christy Jander

Deputy Clerk

Fee paid to witness by clerk \$ \_\_\_\_\_

NOTE: PRESENT THIS SUBPOENA TO THE CLERK OF COURTS FOR PAYMENT

Muskingum County

**COURT**

Zanesville

**OHIO**

Village of Frazeyburg

Plaintiff

VS.

Craig M. Kirk

Defendant

The State of Ohio

Muskingum

County, ss:

To the Sheriff of Muskingum County, Ohio, Greetings:

To the Bailiff of County Court

YOU ARE HEREBY COMMANDED TO SUBPOENA THE FOLLOWING NAMED PERSON, to-wit:

JASON SCHILLING

(Name)

Village of Frazeyburg-Police Dept.

(Address)

Frazeyburg, Ohio

To be and appear before the Muskingum County Court, 27 N. 5th Street

Zanesville

Ohio on the 9th day of October 2007

Court Address

at 9:00 o'clock A.M., to testify as a witness in a certain case pending in said court on behalf of the

Plaintiff

Plaintiff/Defendant

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D. Scott R...

Attorney for (Defendant Plaintiff)

**RETURN OF SERVICE**

**DATE OF SERVICE**

Service \$ \_\_\_\_\_

10-03-2007

Mileage \$ \_\_\_\_\_

1452  
**Type of Service**

Total \$ \_\_\_\_\_

☒ Personal

☐ Residential

By leaving copy with \_\_\_\_\_

WITNESS my hand and Seal of said

Court this 3rd day of

OCTOBER 2007

JARQUELENE GABER Clerk

Muskingum County Court

By Christy London

Deputy Clerk

Fee paid to witness by clerk \$ \_\_\_\_\_

C. R. ...  
Sheriff - Bailiff - Process Server

**NOTE: PRESENT THIS SUBPOENA TO THE CLERK OF COURTS FOR PAYMENT**